

By: Zaffirini

S.B. No. 498

A BILL TO BE ENTITLED

AN ACT

relating to the use of person first respectful language instead of the term "ward."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 22.033, Estates Code, is amended to read as follows:

Sec. 22.033. WARD; PERSON WITH A GUARDIAN. "Ward" or "person with a guardian" means a person for whom a guardian has been appointed.

SECTION 2. Chapter 1001, Estates Code, is amended by adding Section 1001.004 to read as follows:

Sec. 1001.004. USE OF PERSON FIRST RESPECTFUL LANGUAGE INSTEAD OF WARD. (a) The legislature, the Texas Legislative Council, and other state agencies and entities are directed to avoid using the term "ward" in any new provision of law and are directed to replace, as appropriate, that term in any existing law as that existing law is otherwise amended with the following preferred terms or phrases or appropriate variations of those terms or phrases:

(1) "person";

(2) "incapacitated person"; and

(3) "person with a guardian."

(b) A law is not invalid solely because it does not employ this section's preferred terms or phrases.

SECTION 3. Section 1002.026, Estates Code, is amended to read as follows:

Sec. 1002.026. PROPOSED WARD; ALLEGED INCAPACITATED PERSON. "Proposed ward" or "alleged incapacitated person" means a person alleged in a guardianship proceeding to be incapacitated.

SECTION 4. Section 1002.030, Estates Code, is amended to read as follows:

Sec. 1002.030. WARD; PERSON WITH A GUARDIAN. "Ward" or "person with a guardian" means a person for whom a guardian has been appointed.

SECTION 5. Section 155.001(7), Government Code, is amended to read as follows:

(7) "Ward" or "person with a guardian" has the meaning assigned by Chapter 1002, Estates [~~Section 601, Texas Probate~~] Code.

SECTION 6. Section 411.114(a)(1)(E), Government Code, is amended to read as follows:

(E) "Ward" or "person with a guardian" has the meaning assigned by Chapter 1002, Estates [~~Section 601, Texas Probate~~] Code.

SECTION 7. Section 240.002(15), Property Code, is amended to read as follows:

(15) "Ward" or "person with a guardian" has the meaning assigned by Section 22.033, Estates Code.

SECTION 8. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted

1 codes.

2 SECTION 9. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2017.